

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

CHRISTINA PAOLI
P.O. BOX 170
600 THIRD ST
REHOBOTH BEACH DE 19971

CIVIL ACTION NO.

07 - 419

v.

(1) City of Lewes, Delaware
114 E. Third Street
P. O. Box 227
Lewes, Delaware 19958

(2) Lewes Police Department
P.O. Box 227
Lewes, Delaware 19958

(3) Bruce Ritter
P. O. Box 227
Lewes, Delaware 19958

Defendants

COMPLAINT

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 JUL -2 PM 3:06

1. This is a civil action seeking damages against defendants for: committing acts, under color of law, that deprived plaintiff of rights secured under the Constitution and laws of the United States; conspiring for the purpose of impeding and hindering the due course of justice, with intent to deny plaintiff equal protection of laws; and refusing or neglecting to prevent deprivations and denials to plaintiff.
2. The Court has jurisdiction of this action under 42 U.S.C. § 1343 and 28 U.S.C. § 1331.
3. Plaintiff is a citizen and resident of the Rehoboth, State of Delaware and the United States of America.
4. Defendant Town of Lewes is a municipal corporation, organized under the laws of the State of Delaware.
5. Defendant Ritter was a Police Officer for the Town of Lewes at all times relevant to this complaint.

7. Defendant Ritter was employed by the said Police Department, of the Town of Lewes, Delaware.

8. Plaintiff sues each and all defendants in both their individual and official capacities.

9. At all times material to this complaint, the defendants, and acted under color of the statutes, customs, ordinances, and usage of the State of Delaware, the Town of Lewes, and the Lewes Police Department.

10. This is a civil litigation action seeking damages against defendants for committing acts under color of law, and depriving plaintiff of rights secured by the Constitution and laws of the United States. Defendants, while acting in their capacity as defendant individual and defendant employer of defendant Ritter, a police officer in the Town of Lewes Delaware, County of Sussex.

11. The Defendants deprived plaintiff of her liberty without due process of law, starting in July of 2006 through June of 2007, by either negligently, wantonly, or intentionally making an unreasonable search and seizure of the property of plaintiff, by depriving plaintiff of her property without due process of law, by maliciously damaging the plaintiff's property, by falsely charging the plaintiff twice within 48 hours of the same alleged crimes, by falsely imprisoning her, by illegally harassing the plaintiff, by obstructing and interfering with her use and sale of her property at 7 Abbott Mobile Home Park, by stating proven untruths in warrants and under oath in court(s), by retaliatory acts and by depriving plaintiff of her rights, privileges and immunities as guaranteed by the Fourth, Fifth and Fourteenth Amendments to the Constitution of the United States. The Court has

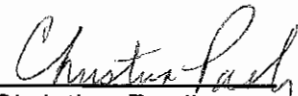
jurisdiction of this action under 42 U.S.C. Section 1983 and under 28 U.S.C. Section 1343.

12. Said actions were undertaken by defendant Ritter in his capacities as final decision-maker pursuant to authority granted to them by Defendant, Town of Lewes, and such actions represented official municipal policy and practice. Although officer was penalized 10 days without pay, placed on disciplinary probation for 270 days and required to take 25 hours of classroom instruction and training, he was permitted to keep harassing plaintiff from the time of the original false arrests (July of 2006) to the City Hall hearing (March of 2007) to continued acts of retaliation by Ritter and other officers up to June of 2007.

WHEREFORE, plaintiff prays that the court:

1. Enter judgment against the defendants jointly and severally for damages and punitive damages, plus court costs, and reasonable attorney's fees.
2. Grant such additional and further relief as the court may deem just and appropriate. Half of the money recovered by this complaint (If any) will be donated to a local church (40%) and to the Lewes Police Department (10%) for the chief's discretion and future officer training.
3. For a trial by jury.

Dated: July 2, 2007


Christina Paoli
600 Third Street
Rehoboth, DE 19971

07-419

FILED
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form adopted by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff Christina Paoli
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Pro Se
Christina Paoli P.O. Box 170
600 Third Street
Rehoboth DE 19971

DEFENDANTS Bruce Ritter, P.O. Box 227, Lewes DE
Lewes Police Dept, P.O. Box 227, Lewes DE 19958
City of Lewes, 114 E. Third Street, Lewes DE 19958

County of Residence of First Listed Defendant Sussex County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known) unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 1343 and 28 U.S.C. § 1331

Brief description of cause:

Officer Ritter, Lewes Police, Lewes City Council violated my 4th, 5th + 15th Amendment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

monetary - yes

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

7-02-2007

SIGNATURE OF ATTORNEY OF RECORD

Christina Paoli(302) 260-1036

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

07 - 419

RE: C.A.# _____

CASE CAPTION: _____ v. _____

ACKNOWLEDGMENT OF RECEIPT FOR F.R.Civ.P. 4

I hereby acknowledge receipt of a copy of Rule 4 (Summons) of the Federal Rules of Civil Procedure, and understand that it is my responsibility to make service of process on defendants in accordance with this rule.

Date Received 7/2/07
by Plaintiff: _____

Signed: Christine Park
Pro Se Plaintiff

Date Received 7/2/07
by Clerk's office: _____

Signed: Rea CQ
Deputy Clerk

Note: If you received Federal Rule 4 by mail, please sign this receipt and return it to:

Clerk
U.S. District Court
844 N. King Street
Lockbox 18
Wilmington, DE 19801

If applicable, Rule 4 mailed to plaintiff:

Date mailed

By Deputy Clerk

cc: Docketing Clerk

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

Civil Action No. 07 - 419

ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85

NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION

I HEREBY ACKNOWLEDGE RECEIPT OF 3 COPIES OF AO FORM 85.

7/2/07

(Date forms issued)

X Christina Paoli

(Signature of Party or their Representative)

X Christina Paoli

(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action

* Please Sign & Ret. to the Clerks office